Ruling by the Chair

ಅಧ್ಯಕ್ಷರು.—ನಿನ್ನೆ ಆಡಬೇಕಾಗಿದ್ದ ವರದಿಯನ್ನು ಈ ದಿವಸ ಸಭೆಯಲ್ಲಿ ಮಂಡನೆ ಮಾಡಬೇಕೆಂದು ಕೇಳಿದ್ದಕ್ಕೆ ನಾನು ಒಪ್ಪಿ ಸಭೆಯ ಮುಂದಿಟ್ಟಿದ್ದೇನೆ. ಎರಡನೆಯದು, ಈ ಕಾರಣಕ್ಕಾಗಿಯೇ ರಾಷ್ಟ್ರದ ಎಲ್ಲಾ ಸಭಾಧ್ಯಕ್ಷರ ಸಮ್ಮೇಳನ ನಡೆಯತಕ್ಕಂಥ ಸಭೆಗೆ ಕೂಡ ಈ ವಿಚಾರವನ್ನು ನಾನು ಕೊಂಡೊಯ್ದಿದ್ದೇನೆ. ನನಗೆ ಮಾತ್ರ ಸಭೆಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಚಾರವಾಗಿದ್ದರೂ ಕೂಡ ಈ ವಿಚಾರವನ್ನು ಚರ್ಚೆ ಮಾಡದೇ ಇರಬಹುದಾಗಿತ್ತು. ಇದು ನನಗೆ ಮತ್ತು ಸಭೆಗೆ ಸೇರಿದ ವಿಚಾರವಾಗಿದ್ದರೂ ಕೂಡ ಈ ಒಂದು ಪ್ರಯೋಗಕ್ಕೆ ಅತ್ಯಂತ ಹಿರಿದಾದ ಅಭಿಪ್ರಾಯವನ್ನು ಕ್ರೋಢೀಕರಿಸಬೇಕೆನ್ನುವ ದೃಷ್ಟಿಯಿಂದಲೂ ಈ ವಿಚಾರವನ್ನು ನಾನು ಬೊಂಬಾಯಿನಲ್ಲಿ ನಡೆದಂತಹ ಸಭೆಯಲ್ಲಿ ಇದನ್ನು ಮಂಡಿಸುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡಿದ್ದೇನೆ. ಮತ್ತು ಈ ವಿಚಾರದಲ್ಲಿ ವಿಫುಲವಾದ ಚರ್ಚೆ ನಡೆದಿದೆ. ಒಂದು ಮಾತನ್ನು ಅವರು ಹೇಳಿದ್ದಾರೆ. "In so far as the constitution of the Committee whether the House or the Speaker has the power to appoint a Committee is concerned, there can be no two opinions" ಎನ್ನುವ ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ. This is for the information of the House ಜನತಂತ್ರದಲ್ಲಿ ವಿಶ್ವಾಸ ಇಟ್ಟುಕೊಂಡಿರತಕ್ಕ ನಾವು ಶಾಸನಸಭೆ, ಅದಕ್ಕಿಂತಲೂ ದೊಡ್ಡ ಸಭೆಯಾಗಲೀ, ವೇದಿಕೆಯಾಗಲೀ ಇದೆಯೊಂದು ನನ್ನ ಭಾವನೆಯಿಲ್ಲ. ಈ ಸಭೆಗೆ ಒಂದು ಎಕ್ಸಿಕ್ಯೂಟಿವ್ ಅಥಾರಿಟಿ—ಅತ್ಯಂತ ದೊಡ್ಡ ಜವಾಬ್ದಾರಿಯನ್ನು ಹೊತ್ತಿರತಕ್ಕಂಥ ರಾಜ್ಯದ ಎಕ್ಸಿಕ್ಯೂಟಿವ್, ಅಥಾರಿಟಿ I don't know whether he is the Chief Minister or not, if the highest executive authority submits himself to the will of the people, for technical reasons we should not run away from the responsibility. This was the first criterion.

SRI K. H. RANGANATH.—I have extended thanks to him in that respect.

MR. SPEAKER.—Please forgive me. Allow me to say something. Secondly the question is still open in this country, both in the State Legislatures and in the Parliament, and the debate is still going on as to the supremacy of the Legislature and the Judiciary. If we ourselvescall the representatives of the people, with the will of the people expressed through their representatives if we call ourselves as supreme and the suggestion comes that here is a case where the matter should be referred to the judicial enquiry, I for one would not agree. I do not say that judicial enquiry, should not be there. If we are convinced to submit ourselves to judicial enquiry, I do not find any reason, for any body for that matter, to submit to the representatives of the people. And that is why I called the will of the people expressed through this House and that is the reason why I called the 'people's court' which is the highest court as far as I am concerned, The third outweighing point which weighed me was. We speak about the conventions, about the procedures and practice before us. Conventions do not drop from the heaven. They are created. And they are created at a time which empowers, which gives the authority to the Legislature to sit over the executive. I don't think that there is any better opportunity than this for the Legislature to grab and say that

we sit over the judgement of the executive. Much more so. before taking this decision I had the good opportunity of eliciting the opinion of the experienced people and the leaders of the different groups and the authorities also. I know their opinion too. But at the same time I never wanted to take the plea on the technical ground and say "We have no authority". If we have no authority I feel, here is the House to give me authority whether I am the Speaker or anybody else is the Speaker.

And if this House feels that this authority could not be given, again it is open to the House to take away that power. Either. giving the power or taking the power is well within the powers of the House. I leave it at that With this point I thought that I am creating a healthy convention. Suppose a question is asked that flood gates will be opened if the Committee is constituted, I would say that umpteen number of eases taken up for discussion at various levels. Even if there are allegations or charges against any hon. members there can be a permanent set up which can scrutinsise. This matter can either be taken up or rejected. With this view I thought that that the Chief Minister or highest executive authority has given the opportunity for this Hon.House to go into the question of certain decisions taken and certain allegation made by the hon. members of this House and it is this House alone can sit in judgel ment and it is the best precedent in constituting the Committee. I feel that I am well with in the purview of powers under the Rules of procedure and the convention laid down, I have constituted the Committee and I have no hesitation as it is stil within the frame work of the rules I now call upon the Chairman to present the report.

ಶ್ರೀ ಹೆಚ್. ಗಂಗಾಧರಸ್.—ಅಧ್ಯಕ್ಷರೇ, ವಿಧಾನಸಭೆಯ ಸದಸ್ಯರಾದ ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ ನವರು ಸರ್ಕಾರದ ವಿರುದ್ಧ ಹಾಗೂ ಮುಖ್ಯಮಂತ್ರಿಯವರ ಸಂಬಂಧಿ ಶ್ರೀ ಗಣೇಶ ಹೆಗ್ಗಡೆ ಅವರ ಮೇಲೆ ಮಾಡಲಾದ ಆಪಾದನೆಗಳ ವಿಚಾರಣೆಗಾಗಿ ರಚಿಸಲಾದ ಶಾಸಕರ ವಿಶೇಷ ಸಮಿತಿಯ ವರದಿಯನ್ನು ನಾನಂ ಈ ಸಭೆಗೆ ಒಪ್ಪಿಸುತ್ತೇನೆ.

ANNOUNCEMENT

MR. SPEAKER.—I have received a copy of the following message from the President of India, New Delhi.

"I, Zail Singh, President of India, having considerd the Electricity (Supply) (Karnataka Amendment) Bill, 1980. which was reserved for my consideration under the provisions of article 200 read with article 254(2) of the constitution of India, do hereby direct in pursuance of the proviso to article 201 of the Constitution, that the Bill be returnd to the Houses of Legislature of the